UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

CB&I, INC.

and

Case 06-CA-083397

MID-ATLANTIC COUNCIL OF CARPENTERS WEST VIRGINIA DISTRICT

ORDER¹

The Employer's petition to revoke subpoena duces tecum B-654245 is denied. The subpoena seeks information relevant to the matter under investigation and describes with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations.² Further, the Employer has failed to establish any other legal basis for revoking the subpoena.³ See generally *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., October 17, 2012.

MARK GASTON PEARCE, CHAIRMAN

BRIAN E. HAYES, MEMBER

RICHARD F. GRIFFIN, JR., MEMBER

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

² To the extent that the Employer has provided some of the requested material, it is not required to produce that information again, provided that the Employer accurately describes which documents under subpoena it has already provided, states whether those previously-supplied documents constitute all of the documents, and provides all of the information that was subpoenaed.

³ In denying the Employer's petition to revoke, we consider the subpoena as modified by the Region's limitations on Paragraphs 5 and 9, as stated in the Region's opposition to the petition to revoke. With regard to Paragraph 9 we note in particular that the Region's opposition states that the Region has limited its requests to information about carpentry positions at the Dominion project.